

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:22-cv-00390

Todrick Morris,
Plaintiff,

v.

Lonnie R. Townsend et al.,
Defendants.


ORDER

Plaintiff Todrick Morris, proceeding pro se and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636(b). Doc. 3. Thereafter, Defendants Douglas Foust, Lonnie Townsend, and LaMorris Marshall filed a motion for judgment on the pleadings (Doc. 26), and Defendant Maria Defoor filed a motion for summary judgment (Doc. 27). Judge Love issued a report and recommendation, recommending that the motions be granted, that plaintiff's claims against defendants in their official capacities be dismissed without prejudice, and that plaintiff's claims against defendants in their individual capacities be dismissed with prejudice. Doc. 37. Judge Love further recommended that the claims against the unidentified defendants and defendant Francisca Okuma be dismissed with prejudice for failure to state a claim. Plaintiff requested an extension of time to file objections to the report and recommendation. On July 26, 2023, the court granted Plaintiff an extension of fourteen days to file his objections. Doc. 39. To date, no objections have been filed and the time period for doing so has passed.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it

contains no clear error, the court accepts its findings and recommendation (Doc. 37). For the reasons stated in the report, defendants' motions (Docs. 26, 27) are granted. The claims against defendants in their official capacities are dismissed without prejudice and the claims against defendants in their individual capacities are dismissed with prejudice.

So ordered by the court on September 5, 2023.



J. CAMPBELL BARKER
United States District Judge